

01-*L*-0196

Entered - 01/19/01 - sb
CL01L0039 - DIANNE C. MITCHELL

CLAIM OF: DORIS MOSLEY
349 Hopkins Street, SW
Atlanta, Georgia 30310

For damages alleged to have been sustained as a result of vehicular damage by a sand spreader on December 22, 2000 on Northside Drive.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0037

Date: January 25, 2001

Claimant /Victim DORIS MOSLEY

BY: (Atty)(Ins. Co.)

Address: 349 Hopkins Street, SW, Atlanta, Georgia 30310

Subrogation: Claim for Property damage \$ 1,292.00 Bodily Injury \$

Date of Notice: 01/16/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 12/22/00 Place: Northside Drive

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that her vehicle was damaged when it was sprayed by sand from a DOT sand spreader. The claimant has been advised to pursue her claim directly with the Georgia Department of Transportation.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager:  Concur/date 01-25-01

Committee Action Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 1-7-01

Dear Municipal Clerk:

ENTERED - 1-18-01 - SB

01L0037 - DIANNE MITCHELL

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1200 or 1400 property and/or \$ Car bodily injury for which I contend the City is liable.

1. Date of incident: 12-22-00 (month/day/year) 2. Time of Incident: 7:30am 3. Police called: Yes ☒ No

4. Location of incident (including street address): Northeast Dr.

5. Name of your insurance company: Progressive Max Insurance Policy No. 36665964-0

6. State what and how incident occurred: I was traveling down Northeast Dr. when the D.O.T. Sand Truck was spraying sand on the street. The sand started hitting my car and chip the paint off of my car.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Buick Century (Make) 1989 (Year) 373131X (Tag Number) DORIS MOSLEY (Driver's Name)

City vehicle: D.O.T. yellow Truck (Make) (City Driver's Name) (Department/Bureau)

9. Witness: Grady Jennings (Name) 349 Hopkins St SW (Address) (404) 753-5923 (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Doris Mosley
Signature of Claimant

Doris Mosley
(Print Claimant's Name)

349 HOPKINS ST SW
(Address)

GA 30310
(City, State and Zip Code)

(Work Number) 404-753-5923 (Home Number)

01-R-0196